

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

CEATS, INC.

Plaintiff

vs.

**CONTINENTAL AIRLINES, INC.,
ET AL.**

Defendants

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**CASE NO. 6:10cv120
PATENT CASE**

ORDER

Defendants TicketNewtork, Inc. and Ticket Software, LLC, Tickets.com, Inc., AirTran Airways, Inc., Alaska Airlines, Inc., Horizon Air Industries, Inc., JetBlue Airways Corporation, Ticketmaster, LLC, Tnow Entertainment Group, Inc., U.S. Airways, Inc., Live Nation Worldwide, Inc., Caribbean Airlines, Ltd., Malaysia Airlines Systems Berhad, and Alia-The Royal Jordanian Airlines, Co. Motion To Transfer, Or Alternatively To Stay is before the Court. (Doc. No. 516). Also before the Court is Plaintiff CEATS, Inc.'s Motion for Sanctions for US Airways Discovery Abuse (Doc. No. 670) and Defendants' Emergency Motion To Compel CEATS To Present 30(b)(6) Witnesses (Doc. No. 687). The Court held a hearing on November 8, 2011 and provided the following rulings on each of the motions:

- Defendants' Motion to Transfer, or Alternatively To Stay (Doc. No. 516): pursuant to the Defendants' filings (*see e.g.* Doc. No. 667) and representations at the hearing, the Court **DENIED** Defendants' motion to transfer as **MOOT**. The Court further **DENIED** Defendants' motion to stay.
- Plaintiff CEATS, Inc.'s Motion for Sanctions for US Airways Discovery Abuse

(Doc. No. 670): The Court **GRANTED-IN-PART** CEATS motion and **ORDERED**:

- ▶ US Airways to produce the “sub-directory” of source code in native format at CEATS’ expert’s office in Blacksburg, Virginia;
- ▶ US Airways to produce their 30(b)(6) witness at CEATS counsel’s office for a maximum of four (4) hours to answer questions regarding the newly produced source code after CEATS’ expert has an opportunity to review the code;
- Defendants’ Emergency Motion to Compel CEATS to Present 30(b)(6) Witnesses (Doc. No. 687): The Court **GRANTED-IN-PART** Defendants’ motion and **ORDERED** CEATS to present their 30(b)(6) witness for an additional eight (8) hours in addition to the 17.5 hours the Defendants have already used. After Defendants expend the remaining 8 hours of deposition, should they determine that they need more time with CEATS’ designee, the Court encouraged Defendants to file a motion identifying with specificity the remaining topics and issues upon which they need more time to question the witness and the Court will evaluate the request at that time.

The Court provided further guidance on a number of discovery disputes between the parties. The Court notes that an acrimonious tenor has developed between the parties in this case and encourages the parties to focus on the merits and to avoid unnecessary and costly discovery disputes.

So ORDERED and SIGNED this 15th day of November, 2011.

A handwritten signature in black ink, appearing to read 'Leonard Davis', written over a horizontal line.

**LEONARD DAVIS
UNITED STATES DISTRICT JUDGE**